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Attorney for Defendant  
EDISON PIANO VILLEGAS

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF HAWAII

UNITED STATES OF AMERICA,	)	CR. NO. 05-00026 JMS
	)	
Plaintiff,	)	DECLARATION OF COUNSEL
vs.	)	
	)	
EDISON PIANO VILLEGAS, (02),	)	
	)	
Defendant.	)	

**DECLARATION OF COUNSEL**

I, EMMETT E. LEE LOY, hereby declare as follows:

1. I am counsel for defendant, EDISON PIANO VILLEGAS ("Mr. Villegas"), having been appointed pursuant to the Criminal Justice Act on December 2, 2004;
2. Your declarant has reviewed the files of this case extensively and discussed in person with Mr. Villegas at the U.S Marshall's Office on 12/2/04, 12/7/04, 1/21/05, 1/25/05, 5/24/05 and 8/18/05, as well at the Salvation Army Adult Rehabilitation Center ("SAARC") on 1/25/05, 2/8/05, 3/22/05, 3/29/05 and 5/13/05, in addition to and at the Federal Detention Center Honolulu ("FDC") on 12/10/04, 1/11/05, 6/2/05, 6/28/05, 7/20/05, 8/9/05, 9/9/05, 9/22/05, 10/4/05, 10/6/05, 11/7/05, 11/28/05, 1/8/06, 1/17/06, 2/3/06, 2/13/06, 3/22/06, and 3/27/06, in addition to, and on top of numerous telephone conversations from client;

3. On Thursday, March 16, 2006, Mr. Villegas contacted your Declarant.
4. Your Declarant received erroneous information that Mr. Longaman, a defendant in another criminal case, had already been sentenced and received a term of only 4 years;
5. A “friend,” Wesley Valion (who is apparently also a friend of, and closely associated with, both Pearly Moore and Mr. Longaman) apparently made up this erroneous information;
6. Not finding anything about Mr. Longaman being sentenced, on Wednesday, March 22, 2006, your Declarant went down to the FDC and met with Mr. Villegas;
7. The information turned out to be “a lie” and that Wesley Valion supposedly said that he was “only joking.”
8. Your Declarant then provided a frank assessment of relying upon the veracity and accuracy of information received from others, especially while at the FDC;
9. On Monday, March 27, 2006, your Declarant again met with Mr. Villegas at the FDC in to prepare Villegas for his upcoming sentencing on May 18, 2006.
10. At this meeting, Mr. Villegas “fired” your Declarant.
11. Mr. Villegas no longer has confidence in his presently assigned attorney’s ability to represent him adequately;
12. These doubts make it impossible for Mr. Villegas and your Declarant to discuss his case and is actively interfering with counsel’s ability to effectively represent Mr. Villegas at sentencing;
13. Counsel believes that the attorney-client relationship maybe so badly damaged that it cannot be repaired. In addition, your declarant believes that a new attorney might actually be able to move this case forward in an orderly manner in that Mr. Villegas may simply need to hear from another attorney.
14. That new counsel should be appointed from the CJA panel since Mr. Villegas’ indigent status has not changed.

15. The facts and statements set forth in the foregoing document are true and correct to the best of my knowledge and belief.

I DECLARE UNDER PENALTY OF PERJURY THAT THE FOREGOING IS TRUE  
AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.

DATED: Honolulu, Hawaii, March 28, 2006.

/s/Emmett E. Lee Loy  
EMMETT E. LEE LOY  
Attorney for Defendant  
EDISON PIANO VILLEGAS